



General Assembly

Substitute Bill No. 5203

February Session, 2010

* _____HB05203LABAPP030910_____ *

**AN ACT CONCERNING TEACHERS' RETIREMENT CREDIT AND
HAZARDOUS DUTY RETIREMENT CREDIT FOR CERTAIN
EMPLOYEES AT THE DEPARTMENT OF ENVIRONMENTAL
PROTECTION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-183ff of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) Should any change or error in records result in any member or
4 beneficiary receiving from the teachers' retirement system more or less
5 than he would have been entitled to receive had the records been
6 correct, then upon discovery of any such error the Teachers'
7 Retirement Board shall notify the member or beneficiary affected and
8 correct the same, and as far as practicable shall adjust the payments in
9 such manner that the actuarial equivalent of the benefit to which such
10 member or beneficiary was correctly entitled shall be paid, provided if
11 such change or error results in any member or beneficiary receiving
12 less than he would have been eligible to receive, such member or
13 beneficiary may elect to have such benefit paid in a single payment.

14 (b) If a member or beneficiary has been overpaid through no fault of
15 his own, and he could not reasonably have been expected to detect the
16 error, the board may waive any repayment which it believes would
17 cause hardship.

18 (c) Upon determination by the Teachers' Retirement Board that any
19 person has erroneously been included in membership in the teachers'
20 retirement system, contributions and interest credited under the
21 provisions of this chapter shall be refunded and records of related
22 service voided.

23 (d) Upon determination that the Teachers' Retirement Board has
24 invoiced a member for the purchase of additional credited service in
25 an amount in excess of that permitted by law, and such member has
26 paid the invoiced amount, the amount of the overpayment shall be
27 refunded to such member with interest at a rate equal to the average of
28 interest rates for the most recent ten-year period from the date of the
29 member's retirement to the date such amount is refunded.

30 (e) Upon determination that a member has not purchased additional
31 credited service which was invoiced to him in an amount in excess of
32 that permitted by law, such member shall be given the opportunity at
33 any time to make such purchase by the payment of the proper amount
34 with interest to the date of payment. The additional benefit resulting
35 from the credited service so purchased shall be made retroactive to the
36 date of the member's retirement, and the aggregate amount of such
37 additional benefit shall be paid to the member in a single payment
38 together with interest calculated at a rate equal to the average of
39 interest rates for the most recent ten-year period from the date each
40 payment was due to the date such payment is made.

41 (f) Upon determination by the Teachers' Retirement Board that a
42 member received, on or after November 1, 2008, an estimate of benefits
43 statement from the board that contained a material error, the board
44 shall pay the member the benefits set forth in such estimate if the
45 board determines that (1) the member could not reasonably have been
46 expected to detect such error, and (2) the member, in reliance upon
47 such estimate, irrevocably submitted (A) his or her resignation to the
48 employing board of education, and (B) a formal application of
49 retirement to the Teacher's Retirement Board. For purposes of this
50 subsection, material error means an error that amounts to a difference

51 of ten per cent or greater between the estimated retirement benefits
 52 and the actual retirement benefits to which such member would
 53 otherwise be entitled.

54 Sec. 2. Subsection (d) of section 5-192f of the general statutes is
 55 repealed and the following is substituted in lieu thereof (*Effective*
 56 *October 1, 2010*):

57 (d) "Hazardous duty member" means a member who is a state
 58 policeman in the active service of the Division of State Police within
 59 the Department of Public Safety, who is engaged in guard or
 60 instructional duties at the Connecticut Correctional Institution,
 61 Somers, the Connecticut Correctional Institution, Enfield-Medium, the
 62 Carl Robinson Correctional Institution, Enfield, the John R. Manson
 63 Youth Institution, Cheshire, the Connecticut Correctional Institution,
 64 Niantic, the Connecticut Correctional Center, Cheshire or the
 65 community correctional centers, who is an employee of the Whiting
 66 Forensic Division or its predecessor institutions with direct and
 67 substantial patient contact, who is a detective, chief inspector or
 68 inspector in the Division of Criminal Justice or chief detective, who is
 69 employed as a correctional counselor, correctional counselor
 70 supervisor, parole officer or parole supervisor or in a comparable job
 71 classification by the Board of Pardons and Paroles, who is the director
 72 or assistant director of the Department of Environmental Protection
 73 Emergency Response and Spill Prevention Division, or who has been
 74 designated as a hazardous duty member pursuant to the terms of a
 75 collective bargaining agreement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	10-183ff
Sec. 2	<i>October 1, 2010</i>	5-192f(d)

LAB

Joint Favorable Subst. C/R

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